

REMARKS

The application included claims 1-37 prior to entering this response.

Claims 1-14, 23-32, and 38-40 are allowed.

The Applicant amends claims 1-4, 6, 9-11, 15, 16, 18, 21-25, 27-33, and 35-39.

The Applicant cancels claim 34, herein.

The Applicant adds new claim 41. No new matter is added.

The application remains with claims 1-33 and 35-41 after entering this response.

Claim Rejections - 35 U.S.C. § 103

The Examiner rejected claims 15-22 and 33-37 under 35 U.S.C. § 103(a) over Hayashi (U.S. Patent 4,952,920), in view of Irons *et al.* (U.S. Patent 6,952,281).

The rejection is traversed; however, Applicant amends claims 15, 16, 18, 21, 22, 33, and 35-37 and cancels claim 34 to expedite prosecution, and without prejudice with regard to pursuing the claims as previously presented or in other forms in a continuation or other application. Amended claim 15 recites, in part, a method comprising:

- scanning a next document substantially concurrently with the displaying of said first document, wherein said next document is not displayed while it is being scanned; and

- displaying a scanning status of said next document while said first document is being displayed, wherein said scanning status indicates an availability of said second document for display on said display screen.

In rejecting claim 15, the Examiner alleged that Hayashi discloses scanning a next document substantially concurrently with the displaying of said first document, and specifically identified where document 30 is scanned and displayed on CRT display 46 of Figure 1 at column 4, lines 4-23. Applicant respectfully disagrees with the Examiner's interpretation of Hayashi.

Hayashi is directed to an apparatus that outputs an aspect control signal to enlarge or reduce a character font supplied from a character generator 20 according to the aspect ratio of the selected vertical or horizontal type of CRT display unit 46 (col. 3, lines 40-52). According to Hayashi, the CRT display unit 46 displays image data read by a two dimensional scanner (col. 4, lines 4-6). The image data displayed on the CRT display unit is obtained from scanning the original document 30 (col. 3, lines 53-60).

According to the Examiner (page 3, first four lines of the Office Action), reading and displaying the original document 30 discloses both scanning a next document and displaying a first document. Applicant respectfully submits that the Examiner has failed to identify whether the original document 30 of Hayashi discloses the first document of the next document recited by claim 15. Claim 15 recites *scanning a next document substantially concurrently with the displaying of said first document, wherein said next document is not displayed while it is being scanned*. Applicant respectfully submits that Hayashi's original document 30 cannot logically disclose both the first and second documents since the original document 30 is either displayed or not displayed at any point in time. At column 4, lines 4-23, Hayashi describes that the image data associated with the original document 30 is displayed on the CRT image. Therefore, Applicant understands the Examiner to mean that the original document 30 discloses the first document recited by claim 15. Applicant respectfully submits that the Examiner has failed to identify scanning a next document, let alone *scanning a next document substantially concurrently with the displaying of said first document*, as recited by claim 15.

Additionally, Applicant amends claim 15 to recite certain features that are similar to allowed claim 29, namely *displaying a scanning status of said next document while said first document is being displayed, wherein said scanning status indicates an availability of said second document for display on said display screen*. Accordingly, Applicant respectfully submits that claim 15 is allowable for similar reasons as claim 29 in addition to the further novel features recited therein.

Amended claim 33 recites, in part, an article of manufacture including a computer-readable storage medium having stored thereon instructions that, if executed by a computing device, cause the computing device to perform a method comprising:

automatically transmitting a next document into a scanner substantially concurrently with the displaying of said first document, wherein said next document is configured to be scanned by said scanner without being displayed;
and
scanning said next document while said first document is being displayed.

In rejecting claim 33, the Examiner acknowledged that Hayashi fails to disclose transmitting a next document substantially concurrently with the displaying of said first document, and instead suggested that Irons discloses these features (page 6, first two

paragraphs). Whereas Applicant agrees that Hayashi fails to disclose these features, Applicant respectfully submits that Irons also fails to disclose them.

The Examiner identified the notification display area 850 and column 25, lines 59-65 of Irons in support of his position. The cited section of Irons does not disclose transmitting a document. Whereas Irons describes transmitting scanned image data (i.e. image data from a document that has already been scanned), Irons fails to disclose transmitting a document, let alone *automatically transmitting a next document into a scanner substantially concurrently with the displaying of said first document, wherein said next document is configured to be scanned by said scanner without being displayed*, as recited by claim 33.

As claims 16-22 and 35-37 depend from claim 15 or 33, they are believed to be patentable over the art for at least the foregoing reasons, as well as for the further novel features recited respectively therein. For example, claim 16 recites the method according to claim 15, further comprising *automatically transmitting said next document to be scanned into a scanner, wherein said second document is transmitted at the same time as said first document is being scanned by said scanner*. As previously argued with respect to claim 33, neither Hayashi nor Irons disclose automatically transmitting a next document.

Accordingly, withdrawal of the rejection of claims 15-22, 33, and 35-37 is respectfully requested.

Claims 1-4, 6, 9-11, 18, 21-25, 27-32, and 35-39 are amended for grammatical purposes or to further clarify the claim language in order to expedite prosecution, and without prejudice with regard to pursuing the claims as previously presented or in other forms in a continuation or other application. The claim amendments are not being made to overcome the cited references, and Applicant neither intends nor believes that these amendments operate to narrow the scope of the claims.

New Claim

New claim 41 is added for consideration. No new matter is added.

Any statements made by Examiner that are not addressed by Applicant do not necessarily constitute agreement by the Applicant. In some cases, Applicant may have amended or argued

the allowability of independent claims thereby obviating grounds for rejection of the dependent claims.

CONCLUSION

For the foregoing reasons, the Applicant respectfully requests reconsideration and allowance of claims 1-33 and 35-41. The Examiner is encouraged to telephone the undersigned if it appears that an interview would be helpful in advancing the case.

Customer No. 73552

Respectfully submitted,

STOLOWITZ FORD COWGER LLP

A handwritten signature in dark ink, reading "Bryan Kirkpatrick", written over a horizontal line.

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